

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRYAN LEE THOMPSON,	)	
	)	CASE NO. C12-0665-MJP
Plaintiff,	)	
	)	
v.	)	ORDER AFFIRMING
	)	COMMISSIONER
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	
_____	)	

The Court has reviewed the entire record, including the Administrative Record, the memoranda of the parties, the Report and Recommendation of United States Magistrate Judge Mary Alice Theiler (Dkt. No. 18), Plaintiff's Objections (Dkt. No. 19) and Defendant's Response (Dkt. No 20). The Court now ADOPTS the Report and Recommendation.

Plaintiff objected to Judge Theiler's determination that he raised new arguments in his reply brief (Dkt. No. 19 at 2-7) and to Judge Theiler's conclusion that any error resulting from the ALJ's failure to explicitly address Plaintiff's schizophrenia/psychosis diagnosis was harmless (Id. at 7-9). The Court finds that Judge Theiler's decisions not to consider new arguments raised in Plaintiff's reply and to find any ALJ errors harmless were proper and warranted. Plaintiff's objections fail to demonstrate otherwise.

01 It is therefore ORDERED:

- 02 (1) The Court adopts the Report and Recommendation;
- 03 (2) The Court AFFIRMS the decision of the Commissioner; and
- 04 (3) The Clerk shall direct copies of this Order to all counsel and to Judge Theiler.

05 DATED this 15th day of November, 2012.

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08 Marsha J. Pechman  
09 Chief United States District Judge

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